

(PJWx), CLOSED, DISCOVERY, MANADR, RELATED-G, TRANSFERRED

**U.S. District Court  
CENTRAL DISTRICT OF CALIFORNIA (Western Division - Los Angeles)  
CIVIL DOCKET FOR CASE #: 2:06-cv-07733-FMC-PJW**

Nancy Ferraro et al v. Merck and Co Inc et al  
Assigned to: Judge Florence-Marie Cooper  
Referred to: Magistrate Judge Patrick J. Walsh  
Lead case: 2:06-cv-05378-FMC-PJW  
Member cases:

2:06-cv-05587-FMC-PJW  
2:06-cv-06398-FMC-PJW  
2:06-cv-07343-FMC-PJW  
2:06-cv-07733-FMC-PJW

Case in other court: Los Angeles County Superior Court,  
BC362773

Cause: 28:1441 Notice of Removal - Product Liability

Date Filed: 12/06/2006

Jury Demand: Both

Nature of Suit: 365 Personal Inj. Prod.

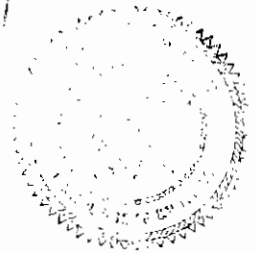
Liability

Jurisdiction: Diversity

I hereby attest that I am the  
owner of the foregoing document  
and correct copy of the same  
my office, and in my file, and

CLERK, U.S. DISTRICT COURT  
CENTRAL DISTRICT OF CALIFORNIA

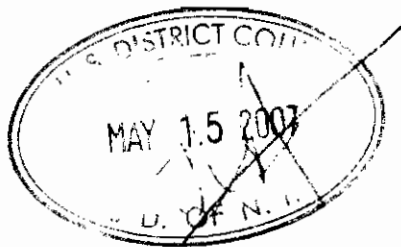
Deputy



0101

**Plaintiff**

**Nancy Ferraro**  
*a single woman*



represented by **Robert F Clarke**  
Phillips and Associates  
3030 North Third Street, Suite 1100  
Phoenix, AZ 85012  
US  
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**LEAD ATTORNEY**  
**ATTORNEY TO BE NOTICED**

**Plaintiff**

**Lillie H Augerson**  
*a single woman*

represented by **Robert F Clarke**  
(See above for address)  
**LEAD ATTORNEY**  
**ATTORNEY TO BE NOTICED**

**Plaintiff**

**Luiga Morra**  
*a single woman*

represented by **Robert F Clarke**  
(See above for address)  
**LEAD ATTORNEY**  
**ATTORNEY TO BE NOTICED**

**Plaintiff**

**Evelyn Lacey**  
*a single woman*

represented by **Robert F Clarke**  
(See above for address)  
**LEAD ATTORNEY**  
**ATTORNEY TO BE NOTICED**

**Plaintiff**

**Jerry W Graham**  
*a single man*

represented by **Robert F Clarke**  
(Sec above for address)  
*LEAD ATTORNEY*  
*ATTORNEY TO BE NOTICED*

**Plaintiff**

**Mina M Holcomb**

represented by **Robert F Clarke**  
(See above for address)  
*LEAD ATTORNEY*  
*ATTORNEY TO BE NOTICED*

V.

**Defendant**

**Merck and Co Inc**  
*a New Jersey corporation*

represented by **Douglas C Emhoff**  
Venable  
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*ATTORNEY TO BE NOTICED*

**Defendant**

**McKesson Corporation**  
*a Delaware corporation*

represented by **Anthony G Brazil**  
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Los Angeles, CA 90017-2503  
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**Kanika D Corley**  
Morris Polich and Purdy  
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213-891-9100  
*LEAD ATTORNEY*

*ATTORNEY TO BE NOTICED***Defendant****Does**

1-50

<b>Date Filed</b>	<b>#</b>	<b>Docket Text</b>
12/06/2006	<a href="#"><u>31</u></a>	NOTICE OF REMOVAL from Los Angeles County Superior Court, case number BC362773 with copy of summons and complaint. Case assigned to Judge Christina A. Snyder, Discovery to Magistrate Judge Frederick F. Mumm. (Filing fee \$ 350 Paid), filed by defendant Merck and Co Inc. (rrey, ) (Entered: 12/13/2006)
12/06/2006	<a href="#"><u>32</u></a>	CERTIFICATION AND NOTICE of Interested Parties filed by Defendant Merck and Co Inc. (rrey, ) (Entered: 12/13/2006)
12/06/2006	<a href="#"><u>33</u></a>	NOTICE TO PARTIES OF ADR PILOT PROGRAM filed.(rrey, ) (Entered: 12/13/2006)
12/06/2006	<a href="#"><u>34</u></a>	FAX number for Attorney Douglas C Emhoff, Jeffrey M Tanzer is 310-226-9901. (rrey, ) (Entered: 12/13/2006)
12/06/2006	<a href="#"><u>35</u></a>	FAX number for Attorney Robert F Clarke is 602-279-9155. (rrey, ) (Entered: 12/13/2006)
12/06/2006	<a href="#"><u>36</u></a>	NOTICE of Related Case(s) filed by Defendant Merck and Co Inc. Related Case(s): CV 06-5378 FMC (PJWx) and other related cases (rn, ) (Entered: 12/18/2006)
12/13/2006	<a href="#"><u>37</u></a>	NOTICE TO COUNSEL AND ORDER regarding compliance with Local and Federal Rules and other requirements; service of this order by plaintiff on all defendants or if case came to court via Noticed removal, removing defendant to serve order on all parties of record.(hh, ) (Entered: 12/14/2006)
12/13/2006	<a href="#"><u>38</u></a>	ANSWER to Complaint [1]; JURY DEMAND filed by defendant Merck and Co Inc.(klg, ) (Entered: 12/14/2006)
12/18/2006	<a href="#"><u>39</u></a>	PREPARED ORDER RE TRANSFER Pursuant to General Order 224 (Related Case) by Clerk; related to CV 06-5378 FMC (PJWx). (rn, ) (Entered: 12/18/2006)
12/21/2006	<a href="#"><u>40</u></a>	ORDER RE TRANSFER PURSUANT TO GENERAL ORDER 224 - Related Case- filed. Related Case No: CV 06-5378 FMC (PJWx). Case transferred from Judge Frederick F. Mumm and Christina A. Snyder to Judge Florence-Marie Cooper and Patrick J. Walsh for all further proceedings. The case number will now reflect the initials of the transferee Judge CV 06-7733 FMC (PJWx). Signed by Judge Florence-Marie Cooper (rn, ) (Entered: 12/21/2006)
12/21/2006	<a href="#"><u>41</u></a>	Cases associated with Lead Case CV 06-5378 FMC (PJWx) (rn, ) (Entered: 12/21/2006)

12/21/2006	38	ANSWER to Complaint [1]; Demand for Jury Trial filed by defendant McKesson Corporation.(klg, ) (Entered: 12/26/2006)
12/21/2006	39	CERTIFICATION AND NOTICE of Interested Parties filed by Defendant McKesson Corporation. (klg, ) (Entered: 12/26/2006)
12/21/2006	40	FAX number for Attorney Anthony G Brazil, Kanika D Corley is 213-488-1178. (klg, ) (Entered: 12/26/2006)
12/28/2006	10	MINUTES (IN CHAMBERS) ORDER SETTING SCHEDULING CONFERENCE by Judge Florence-Marie Cooper: Set Deadlines/Hearings: Scheduling Conference set for 2/26/2007 09:00 AM before Judge Florence-Marie Cooper. Trial counsel are ordered to be present. At least seven days prior to the Scheduling Conference, the parties must submit to the Court their Rule 26(f) Report and ADR Pilot Program Questionnaire. See document for details. Court Reporter: Not Present. (gk, ) (Entered: 01/03/2007)
01/04/2007	11	NOTICE OF MOTION AND MOTION to Remand Case to State Court filed by Plaintiffs. Motion set for hearing on 2/5/2007 at 10:00 AM before Judge Florence-Marie Cooper. (ir, ) (Entered: 01/18/2007)
01/04/2007	12	MEMORANDUM of Points and Authorities in support of Plaintiffs Motion to Remand Case to State Court [11] filed by Plaintiffs. (ir, ) (Entered: 01/18/2007)
01/04/2007	13	DECLARATION of Robert F Clarke in support of Plaintiffs Motion to Remand Case to State Court [11] filed by Plaintiffs. (ir, ) (Entered: 01/18/2007)
01/11/2007	14	NOTICE OF MOTION AND MOTION to Stay Proceedings until after the Judicial Panel on Multidistrict Litigation resolves the question if case should be transferred filed by defendant Merck and Co Inc. Motion set for hearing on 2/5/2007 at 10:00 AM before Judge Florencce-Marie Cooper. (jj, ) (Entered: 01/23/2007)
01/11/2007	15	REQUEST FOR JUDICIAL NOTICE in support of NOTICE OF MOTION AND MOTION to Stay Proceedings until after the Judicial Panel on Multidistrict Litigation resolves the question if case should be transferred [14] filed by defendant Merck and Co Inc. (jj, ) (Entered: 01/23/2007)
01/12/2007	16	RESPONSE to Merck MOTION to Stay [14] filed by defendant McKesson Corporation. (jp) (Entered: 01/25/2007)
01/16/2007	17	NOTICE OF CONTINUANCE OF SCHEDULING CONFERENCE filed by Defendant Merck and Co Inc. (yL, ) (Entered: 01/30/2007)
01/22/2007	18	OPPOSITION to MOTION to Remand Case to State Court[11] filed by defendant Merck and Co Inc. (bp, ) (Entered: 01/31/2007)
01/22/2007	19	REQUEST FOR JUDICIAL NOTICE IN SUPPORT OF MOTION to Remand Case to State Court[11] filed by defendant Merck and Co Inc. (bp, ) (Entered: 01/31/2007)



01/23/2007	320	JOINDER of OPPOSITION to MOTION to Remand Case to State Court [11] filed by defendant McKesson Corporation. (jag, ) (Entered: 02/01/2007)
01/26/2007	322	APPLICATION of Non-Resident attorney to appear in a specific case. FEE PAID. filed by defendant Merck and Co Inc. Lodged order. (klg, ) (Entered: 02/02/2007)
01/29/2007	323	ORDER ON APPLICATION of Non-Resident Attorney to Appear in a Specific Case by Randolph S Sergent as counsel for Defendant Merck and Co Inc, designating Douglas C Emhoff as local counsel. Fee paid. Approved by Judge Florence-Marie Cooper.(klg, ) (Entered: 02/02/2007)
02/02/2007	321	ORDER GRANTING DEFENDANT'S MOTION TO STAY AND DENYING PLAINTIFFS' MOTION TO REMAND by Judge Florence-Marie Cooper: re MOTION to Stay [14] and MOTION to Remand [11]. This matter is before the Court on Plaintiffs' Motion to Remand to State Court (docket no. 11), and Defendant Merck & Co., Inc.'s Motion to Stay Proceedings (docket no. 14), filed on January 4, 2007, and January 11, 2007, respectively. The Court has considered the moving and opposition documents submitted in connection with the motions. The Court deems this matter appropriate for decision without oral argument. See Fed. R. Civ. P. 78, Local Rule 7-15. Accordingly, the hearing set for February 5, 2007, is removed from the Court's calendar. For the reasons and in the manner set forth below, the Court GRANTS Defendant's Motion to Stay and DENIES Plaintiffs' Motion to Remand without prejudice to the filing of a renewed motion in the event that the Judicial Panel on Multidistrict Litigation ("JPML") does not transfer this case to Mutlidistrict Litigation ("MDL") No. 1789, In Re: Fosamax Prods. Liab. Litig. Proceedings in this case are STAYED until issuance of a final decision by the JPML regarding transfer or for sixty (60) days, whichever is earlier. (ama, ) (Entered: 02/02/2007)
02/02/2007	3	Terminate Scheduling Conference of 2-26-07 with Court's Order 21, filed 2-2-07. (ama, ) (Entered: 03/14/2007)
05/03/2007	324	TRANSFER ORDER from the Judicial Panel on Multidistrict Litigation, MDL 1789, that the action is transferred to USDC, Southern District of New York and, with the consent of that court, assigned to Judge John F. Keenan for inclusion in the coordinated or consolidated pretrial proceedings occurring there in this docket. Original file, certified copy of the transfer order and docket sheet sent. (MD JS-6. Case Terminated.) (gk, ) (Entered: 05/07/2007)